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10/751,731

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Kyung-gcun Lee

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STEIN, MCEWEN & BUI, LLP

1400 EYE STREET, NW

SUITE 300

WASHINGTON, DC 20005

EXAMINER

ALUNKAL, THOMAS D

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/751,731	Applicant(s) LEE ET AL.	
	Examiner Thomas D. Alunkal	Art Unit 2627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-17,19-21,23-31,33-38,41 and 42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-17,19-21,23-31,33-38,41 and 42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17, 19-21, 23-25, 27-29, 31, 37, 38, and 42 rejected under 35 U.S.C. 102(b) as being anticipated by Yokoi et al (hereafter Yokoi) (US 5,732,062).

Regarding claim 17, Yokoi discloses a method of recording data onto an optical recording medium (Column 11, lines 58-62 and Column 8, lines 38-40), the method comprising: generating a recording waveform having a recording pattern for high-speed recording (Column 4, lines 53-58 and Figure 7) and forming a first level of the data as a mark and a second level of the data as a space, using the generated recording waveform (Column 11, lines 65-67 and Figure 17, which displays the mark and subsequent unmarked space), wherein the recording pattern is formed of recording multi-pulse trains including a first pulse, a multi-pulse train and/or last pulse (Figure 7, specifically, the multi-pulse light-emission waveform), wherein power levels of the recording multi-pulse trains are equal to a high or low write power levels (Figure 7, Elements Af and Ar), and a low write power level is higher than a bias power level for a last pulse of the recording multi-pulse trains (Figure 7, Pulse level C).

Regarding claim 19, Yokoi discloses wherein a power for an erasure pattern for data erasure has a predetermined DC level (Figure 7, Pulse level D).

Regarding claim 20, Yokoi discloses wherein a ratio of a time duration of the last pulse to a time duration of the multi-pulse train has a predetermined range with respect to a range of jitter allowable by a system (Column 8, lines 41-52, wherein the heating pulse corresponds the multi-pulse heating pulse of Figure 7).

Regarding claim 21, Yokoi discloses a method of recording data onto an optical recording medium (Column 11, lines 58-62 and Column 8, lines 38-40), the method comprising: generating a recording waveform having a recording and an erasure pattern with a multi-pulse train for high-speed recording (Column 4, lines 53-58 and Figure 7. Specifically, level D which corresponds to erasure) and forming a first level of the data as a mark and a second level of the data as a space, using the generated recording waveform (Column 11, lines 65-67 and Figure 17, which displays the mark and subsequent unmarked space), wherein the recording pattern is formed of recording multi-pulse trains including a first pulse, a multi-pulse train and/or last pulse (Figure 7, specifically, the multi-pulse light-emission waveform), wherein power levels of the recording multi-pulse trains are equal to a high or low write power levels (Figure 7, Elements Af and Ar), and a low write power level is higher than a bias power level for a last pulse of the recording multi-pulse trains (Figure 7, Pulse level C).

Regarding claim 23, Yokoi discloses wherein time periods of the recording multi-pulse train are controlled with respect to a timing window  $T_w$  within a range of  $.25-2.0T_w$  (Column 8, lines 41-52, which shows that time periods fall within the range).

Regarding claim 24, Yokoi discloses wherein time periods of the recording multi-pulse train are equal to  $1.0T_w$  (Column 8, lines 17-22. Specifically, each heating and cooling pulse is equal to the period  $T$ ).

Regarding claim 25, Yokoi discloses wherein time periods of the recording multi-pulse train are equal to  $2.0T_w$  (Column 5, lines 56-61. Specifically, mark lengths can range from 1,2,3,4,ect...).

Regarding claim 27, Yokoi discloses wherein a ratio of a time duration of the last pulse to a time duration of the multi-pulse train has a predetermined range with respect to a range of jitter allowable by a system (Column 8, lines 41-52, wherein the heating pulse corresponds the multi-pulse heating pulse of Figure 7).

Regarding claim 28, Yokoi discloses wherein a minimum cooling time duration of the last pulse depends on the range of jitter allowable by a system, and a maximum cooling time duration of the last pulse depends on a length of a minimum recorded mark (Column 7, lines 23-35. Specifically, the jitter is reduced with shorter cooling times, which is set to the shortest-length record mark size, to do so).

Regarding claim 29, Yokoi discloses wherein the cooling time duration of the last pulse of the recording pattern is set to the length of the minimum recorded mark (Column 8, lines 17-22).

Regarding claim 31, Yokoi discloses an apparatus for recording data onto an optical recording medium (Column 11, line 49), the apparatus comprising: a recording waveform generating circuit, which generates a recording waveform having a recording pattern for high-speed recording of the data (Column 11, lines 49-52 and Column 4, lines 53-58), and a pickup unit, which forms a mark or space by irradiating light onto the optical recording medium according to the generated recording waveform to record the data (Column 11, lines 60-63), wherein the recording pattern is formed of recording multi-pulse trains including a first pulse, a multi-pulse train and/or last pulse (Figure 7, specifically, the multi-pulse light-emission waveform), wherein power levels of the recording multi-pulse trains are equal to a high or low write power levels (Figure 7, Elements Af and Ar), and a low write power level is higher than a bias power level for a last pulse of the recording multi-pulse trains (Figure 7, Pulse level C).

Regarding claim 37, Yokoi discloses wherein a power for an erasure pattern for data erasure has a predetermined DC level (Figure 7, Pulse level D).

Regarding claim 38, Yokoi discloses wherein a ratio of a time duration of the last pulse to a time duration of the multi-pulse train has a predetermined range with respect to a range of jitter allowable by a system (Column 8, lines 41-52, wherein the heating pulse corresponds the multi-pulse heating pulse of Figure 7).

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Regarding claim 42, Yokoi disclose an optical recording medium (Column 11, line 49) comprising: a recording layer where when time periods of recording multi-pulse trains and erase multi-pulse trains are equal to 2.0 Tws, respectively, (Column 5, lines 56-61. Specifically, mark lengths can range from 1,2,3,4,ect...), a quality mark is formed by increasing an amount of incident light on the optical recording medium without increasing a write power and an erase power (Figure 1, Element A where recording power remains constant).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-16, 30, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoi et al (hereafter Yokoi) (US 5,732,062) and in view of Furukawa et al. (hereafter Furukawa) (US 6,343,062).

Regarding claim 1, Yokoi discloses an optical recording medium (Column 11, lines 58-62) recording, erasing, and reproducing data (Column 8, lines 38-40), comprising a recording layer including power information for high-speed recording of a recording pattern for data recording is recorded (Figure 30A, Element 107a and Figure 7, specifically, the power of the various waveforms), wherein the power information

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indicates that a recording pattern is formed of a recording multi-pulse train including a first pulse, a multi-pulse train and/or last pulse (Figure 7, specifically, the multi-pulse light-emission waveform), wherein the recording multi-pulse train has high (Figure 7, Pulse level Ar) and low (Figure 7, Pulse level Af) write power levels, and the low write power level is set to be higher than a bias power level (Figure 7, Pulse level C). Yokoi does not disclose wherein the specific zone further contains additional recording information including power information. In the same field of endeavor, Furukawa discloses an optical disk for recording and reproducing high density signals which further has a control area, in which laser power information and beam modulation pattern information is stored (Figure 2, Element 61 and Column 13, lines 15-22).



It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide the control data area, containing power and modulation information, of Furukawa to the CD-ROM of Yokoi, motivation being to simplify the recording method of Yokoi wherein power control is read directly from the disc rather than an outside program or device, thereby increasing the access speed.

Regarding claim 3, Yokoi discloses wherein an erasure pattern formed of an erase multi-pulse train for data erasure is recorded (Column 12, lines 48-51), and the power information indicates that the erase multi-pulse train has a high erase power level and a low erase power level and the low erase power level is set to be equal to a general erase power, and the high erase power level is set to be equal to the predetermined DC level (Figure 7, Pulse level D).

Regarding claim 4, Yokoi discloses wherein a ratio of a time duration of the last pulse to a time duration of the multi-pulse train has a predetermined range with respect to a range of jitter allowable by a system (Column 8, lines 41-52, wherein the heating pulse corresponds the multi-pulse heating pulse of Figure 7).

Regarding claim 5, Yokoi discloses wherein the ratio of the time duration of the last pulse to the time duration of the multi-pulse train ranges from 0.9-1.3 (Column 8, lines 53-56. Specifically, the ratio of the cooling pulse to the heating pulse is 1.2). Yokoi also discloses wherein the range of jitter allowable by the system is 7% (This

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being an inherent property of the ratio of the time duration of the last pulse to the time duration of the multi-pulse).

Regarding claim 6, 11, and 12, these claims contain limitation similar to those in claim 5 and are rejected over the same grounds.

Regarding claim 7, Yokoi discloses wherein a minimum cooling time duration of the last pulse depends on the range of jitter allowable by a system, and a maximum cooling time duration of the last pulse depends on a length of a minimum recorded mark (Column 7, lines 23-35. Specifically, the jitter is reduced with shorter cooling times, which is set to the shortest-length record mark size, to do so).

Regarding claim 8, Yokoi discloses wherein the cooling time duration of the last pulse of the recording pattern is set to the length of the minimum recorded mark (Column 8, lines 17-22).

Regarding claim 9, 10, 13, 14, and 15, these claims contain limitations similar to those in claims 1, 3, 4, 7, and 8 and are rejected over the same grounds.

Regarding claim 16, Yokoi discloses wherein power levels of a first pulse and a last pulse forming the erasure pattern are recorded as one of 4 types, including a first type where power levels of the first pulse and last pulse are equal to a high erase power

level, a second type where the power level of the first pulse is equal to a low erase power level and the power level of the last pulse is equal to the high erase power level, a third type where the power level of the first pulse is equal to the high erase power level and the power level of the last pulse is equal to the low erase power level, and a fourth type where the power levels of the first pulse and last pulse are equal to the low erase power level (Figure 7, light-emission power level D where first and last pulse are at the same erasure power).

Regarding claim 30, Yokoi discloses the limitations of base claim 21 above but does not disclose the recording medium containing write power information about the generated recording waveform at a specific zone of a recording layer. In the same field of endeavor, Furukawa discloses an optical disk for recording and reproducing high density signals which further has a control area, in which laser power information and beam modulation pattern information is stored (Figure 2, Element 61 and Column 13, lines 15-22). Yokoi does not disclose wherein the data recorded on the disc further contains additional recording information including power information. In the same field of endeavor, Furukawa discloses an optical disk for recording and reproducing high density signals which further has a control area, in which laser power information and beam modulation pattern information is stored (Figure 2, Element 61 and Column 13, lines 15-22).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide the control data area, containing power and modulation information, of Furukawa to the CD-ROM of Yokoi, motivation being to simplify the

recording method of Yokoi wherein power control is read directly from the disc rather than an outside program or device, thereby increasing the access speed.

Regarding claim 41, an optical recording medium (Column 11, lines 58-62): comprising a recording layer wherein time durations of high and low levels of an erase power are controlled with respect to a timing window  $T_w$  having a range of .25 to  $2.0T_w$ , and data is recorded onto the optical recording medium while selecting time durations of high and low levels of the erase power suitable for thermal characteristics of the optical recording medium (Column 8, lines 41-52), and wherein the power information indicates that a recording pattern is formed of a recording multi-pulse train including a first pulse, a multi-pulse train and/or last pulse (Figure 7, specifically, the multi-pulse light-emission waveform), wherein the recording multi-pulse train has high (Figure 7, Pulse level  $A_r$ ) and low (Figure 7, Pulse level  $A_f$ ) write power levels, and the low write power level is set to be higher than a bias power level (Figure 7, Pulse level C). Yokoi does not disclose wherein the specific zone further contains additional recording information including power information. In the same field of endeavor, Furukawa discloses an optical disk for recording and reproducing high density signals which further has a control area, in which laser power information and beam modulation pattern information is stored (Figure 2, Element 61 and Column 13, lines 15-22). Yokoi does not disclose wherein the data recorded on the disc further contains additional recording information including power information. In the same field of endeavor, Furukawa discloses an optical disk for recording and reproducing high density signals which further has a control area, in

which laser power information and beam modulation pattern information is stored (Figure 2, Element 61 and Column 13, lines 15-22).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide the control data area, containing power and modulation information, of Furukawa to the CD-ROM of Yokoi, motivation being to simplify the recording method of Yokoi wherein power control is read directly from the disc rather than an outside program or device, thereby increasing the access speed.

Claims 26 and 33- 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoi et al (hereafter Yokoi) (US 5,732,062) as applied to claim 17, 19-21, 23-25, 27-29, 31, 37, 38, and 42 above, and further in view of Minemura et al (hereafter Minemura) (US 5,608,710).

Regarding claim 26, Yokoi does not disclose wherein power levels of the multi-pulse train constituting the erasure pattern periodically change between at least two levels, a high erasure power level  $P_{pe}$  and a low erase power level  $P_{be}$ . In the same field of endeavor, Minemura discloses a multi-pulse train which includes two erasure power levels, EH and EL.

One of ordinary skill in the art at the time of the applicant's invention would find it obvious to provide the modulation apparatus of Yokoi with the dual power levels of Minemura, motivation being to effectively reduce jitter in the system (Column 3, lines 35-50 of Minemura). In addition, providing two erasure power levels account for the

erasure differences between the marks and spaces, which could lead to degradation in the amount of rewrites on the optical disc.

Regarding claim 33, Minemura discloses wherein the recording waveform further comprises an erasure pattern formed of an erase multi-pulse train for data erasure (Figure 3), and the erasure multi-pulse train has a high erase power level (Figure 7, element EH) and a low erase power level (Figure 7, element EL) and a low erase power level is set equal to a predetermined DC level of a general erase power (Figure 4, level EH=EL and Column 4, line 12), a high erase power level is set to be equal to the predetermined DC level (Figure 4, level EH=EL and Column 4, line 12) or the predetermined DC level is set between the high erase power level and the low erase power level (Figure 3. Specifically an power level between EH and EL).

Regarding claim 34, Yokoi discloses wherein a ratio of a time duration of the last pulse to a time duration of the multi-pulse train has a predetermined range with respect to a range of jitter allowable by a system (Column 8, lines 41-52, wherein the heating pulse corresponds the multi-pulse heating pulse of Figure 7).

Regarding claim 35, Yokoi discloses wherein a minimum cooling time duration of the last pulse depends on the range of jitter allowable by a system, and a maximum cooling time duration of the last pulse depends on a length of a minimum recorded mark

(Column 7, lines 23-35. Specifically, the jitter is reduced with shorter cooling times, which is set to the shortest-length record mark size, to do so).

Regarding claim 36, Yokoi discloses wherein the cooling time duration of the last pulse of the recording pattern is set to the length of the minimum recorded mark (Column 8, lines 17-22).

### ***Response to Arguments***

Applicant's arguments filed 3/7/07 have been fully considered but they are not persuasive.

Regarding claim 1, applicant argues that Yokoi does not disclose a specific zone in which additional recording information including power information for high-speed recording of a recording pattern for data recording is recorded. However, as currently presented a "specific zone" can be interpreted as the entire recording layer because its size is not specified. Furthermore, a "specific zone" can also be read upon by any separate disc areas (lead-in, user data, lead-out areas), which are conventional in the CD-ROM optical disc disclosed by Yokoi.

Regarding claims 17, 21, and 31, which now each contain the subject matter of cancelled claims 18, 22, and 32, respectively, applicant argues that Yokoi fails to teach or suggest whether cooling pulse C (Figure 7 of Yokoi) is a low write power level or whether this low write power level is higher than a bias power level for a last pulse of

the recording multi-pulse trains. As noted cited in the previous rejections for claims 18, 22, and 32, low write power corresponding to Ar is at a high power level than cooling pulse level C, which is being relied upon as a lower bias voltage.

Regarding claim 41, applicant argues that Yokoi fails to teach a timing window of  $0.25T_w$  as recited in the claim. However, as cited in Column 8, lines 41-52, Yokoi discloses values (namely,  $.5T$  and  $.75T$ ) which fall within the range provided in claim 41. Thus, this limitation is met.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

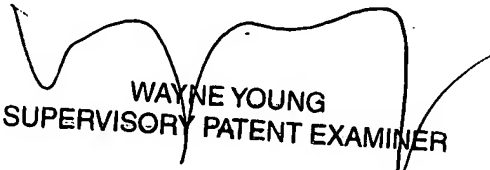


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Alunkal whose telephone number is (571)270-1127. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Alunkal/  
Examiner, Art Unit 2627

  
WAYNE YOUNG  
SUPERVISORY PATENT EXAMINER